

SPEECH OF MR. GIDDINGS, OF OHIO,

Upon adopting the rule of the House excluding Petitions in relation to Slavery.

HOUSE OF REPRESENTATIVES, FEBRUARY 13, 1844.

MR. GIDDINGS remarked: That if we were to judge of the importance of the subject under discussion, by the talent and zeal elicited during the debate, we should surely regard it as a matter of the highest consequence. Indeed, some gentlemen have declared that it involves the permanency of our Federal Union. In this opinion I fully concur. I do not believe it possible to continue this rule, and preserve the Union for any great length of time. Yet I have been highly gratified in witnessing the candid and dispassionate manner in which the debate has been thus far conducted. Gentlemen have participated, in the discussion with that forbearance and kindness becoming statesmen engaged in the examination of matters of high interest to their constituents and to their country. The subject of slavery has been examined in the spirit of candor, and gentlemen have treated each other with the same toleration that is exhibited on other occasions. I rejoice that the time has finally arrived when we can meet in this hall, and compare our views, and examine the rights of different sections of the country in regard to slavery, without excitement, and in a manner becoming those who feel their responsibility to the public. This change of feeling I regard as creditable to the members, and auspicious to the country. I am not ignorant that all discussion in regard to slavery is unpleasant to a portion of the members. I am also aware that some gentlemen harbor towards me feelings of unkindness, in consequence of the position which I have hitherto occupied on this question. But should gentlemen who follow me in this debate forget the decorum which is due to the dignity of this body, it shall not arise from any example of mine. I intend to speak forth my own sentiments freely, but I hope to do so without personal allusions, and without personal offence. In the discharge of our legislative duties, we have reached that point at which we unfortunately find ourselves divided in opinions upon an important subject. The adoption or rejection of the former rule of this House, by which the great mass of petitions concerning slavery have been heretofore rejected, is soon to be determined. I will not now classify those petitions, but will notice them more particularly hereafter. They have been characterized by those who have preceded me as *abolition* petitions; but what those gentlemen understand by the term "abolition," we have yet to learn, for they have not informed us. It is undoubtedly understood by some to mean the abolition of slavery in the States; by others, to refer to the abolition of slavery in the District of Columbia; by others it is understood to refer to the coastwise slave trade; by others to the separation of the people of the free States from the support of slavery. Indeed, petitions for the repeal of any of the laws now in force within the District of Columbia, relating to slavery, petitions to prohibit officers of the Federal Government from the capture of fugitive slaves, or against appropriating the national treasure to the support of slavery or the slave trade, and many others, are denominated "*abolition petitions*," and are not suffered to be read, referred, or reported upon. The objections to them are, that they interfere with the rights of the people of the slaveholding States; yet no gentleman has attempted to set forth or define the rights which he considers as encroached upon by these petitions. Here all our difficulties arise. Let us once clearly determine the rights of the several States in respect to slavery, and it will then be easy to say whether such right is sought to be encroached upon by any particular petition. These rights of the States in regard to slavery were fixed by the Constitution; and we must resort to that instrument, to the debates in the Convention that framed it, and to contemporaneous history, in order to ascertain precisely the character of those rights. Prior to the formation of our Federal Constitution, each State possessed and exercised supreme and unlimited control over the institution of slavery within its own territory. Virginia, in obedience to the will of her people, upheld and continued it. Massachusetts, in the exercise of her supreme power, emancipated her slaves. In the exercise of this act of her sovereign power, she took council from none of her sister States; she acted in obedience to the will of her people, and set an example which was soon after followed by six of the other original States. The example was well calculated to exert an influence upon the institution of slavery throughout the Union. Yet whatever may have been the effect upon the slaves of the other States, they could interpose no objection to this proceeding of their patriotic sister, for the reason that she was as independent of them on this subject, as she was of any foreign power.

When the Convention that framed the Constitution assembled, the delegates brought with them the same diversity of sentiment that exists among us to-day. One portion were hostile to slavery, and another portion were in favor of its continuance. There was, therefore, but one mode of disposing of the question. That was to leave it precisely as it was, and to let it remain with each of the several States. Each State, therefore, retained its whole and entire power over that institution. They surrendered no portion of that power to the Federal Government. I

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desire to be understood distinctly on this part of the subject. I am anxious to ascertain, if possible, the precise point of disagreement between us. I am anxious to develop the exact issue on which we are contending; to let the country know definitely what is claimed by the South, and denied by the North; and what is claimed by the North, and denied by the South.

I therefore lay it down as one of the principles on which our Federal Constitution was based, that each of the several States should retain to themselves and their people, the entire power over slavery which they had previously enjoyed. In saying this, it is not my intention to deny the doctrine advanced by the venerable member from Massachusetts, (MR. ADAMS,) "that in case of war, when the existence of our Government is threatened, we may then avail ourselves of that right of self-preservation which is based upon the law of nature;" and, if necessary to the public safety, may release any portion or all of the slaves in any or all of the States. It is a power which lies behind all constitutional provisions, and is consequent upon a state of war only, but has no application in time of peace. It is, I believe, well understood by military men; it was practised by General Jackson, General Gaines, and General Jesup, and I believe by General Scott, while commanding our armies in the South. They did not hesitate to sever the relation of master and slave, whenever they believed the public good demanded it. In doing that, they merely exercised that power which is always attendant upon a state of war, and which is denied by few, if any. It therefore forms no exception to the doctrine which I have asserted, that each of the several States now holds and enjoys the same power over slavery, within its own territory, that it enjoyed under the old confederation; that Virginia, and each of the slave States, now holds her slaves as independently of the other States and of the Federal Government, as she does of Mexico, or of other foreign powers; that the Congress of the United States possesses no more right than the Parliament of Great Britain has, to interfere with that institution in Virginia, or any other slave State. On this point, I think southern men will agree with me. Indeed, I understand this to be the doctrine for which they contend, and on which, so far as I am acquainted with the views entertained by northern men, there is an entire concurrence of opinion.

We will now examine the other branch of the proposition, and ascertain whether there be the same unanimity of views among us as exists in regard to the rights of the slave States.

I stated that each of the several States retains its entire power over the institution of slavery, that it possessed under the old confederation. It therefore follows that Massachusetts and the free States have the same supreme and unqualified right *to be wholly exempt from the support of slavery, that they enjoyed under the old confederation*; and that Congress possesses no more power than does the Parliament of Great Britain, to involve them in the expense, the odium, or the guilt of that institution. That this right of the people of the free States to enjoy their liberty, free from all participation in the crime of slavery, is as supreme and unlimited as is the right of the slave States to continue and enjoy it. I wish to call the particular attention of those who follow me in this debate, to this right of the free States, for it is on this point that we differ. If there be any issue between us, it must be founded on this particular doctrine. I therefore most respectfully ask southern gentlemen to meet me on this point. If they admit the correctness of my doctrine, let them say so; if they deny it, let them declare such denial in a plain and direct manner. It is surely time that we should know and understand distinctly the cause of our controversy; that we should bring forth the well defined subject matter in dispute, and place it conspicuously before the country, in order that the people may understand and judge concerning it. In the spirit of kindness I request them to keep no longer at a distance from the point in issue; that they will no longer deal in vague generalities; that they will lay aside all declamation; that they will cease to denounce abolition, and meet the matters in controversy by fair argument and dispassionate reason. It is unbecoming us as statesmen, to occupy our time here contending before the nation for years, without being able to lay our finger upon the precise point in controversy. In doing this, we exhibit an evident fear of approaching the principle on which we are contending. I have for six years sat in this hall, and listened to eloquent denunciations of abolition. But in that whole time, I have never heard one of those gentlemen define what he understood by that term. I have heard the dissolution of the Union threatened, and all the horrors of civil war depicted in fervent and glowing eloquence: but no one has condescended to inform us of the precise cause which is to sever the Union, and to create a civil war.

Now, Mr. Speaker, if we do not possess the moral courage to examine minutely and particularly the cause of contention, I feel that it is our duty to retire from this hall, and to give place to those who will not fear to meet these questions upon their true merits. I, sir, am regarded as an abolitionist. I have no more objection to the term than Washington or Jefferson or Franklin had. I care not what name gentlemen attach to me, provided they do not misrepresent my principles. Of these I prefer to be my own exponent; and I repeat, that whatever issue I take with southern gentlemen is based entirely upon this plain and obvious doctrine of the Federal Constitution: *that this Government possesses no power whatever to involve the people of the free States in the support of slavery*. Here, sir, I take my stand, where I have always stood since I entered this hall. For this doctrine I shall continue to contend, until convinced that it is erroneous. I am not to be driven from it by the cry of abolition; for if it be abolition, then am I an

abolitionist. Neither am I to be frightened from this position by the cry of *fanaticism*; for if this doctrine be fanaticism, then am I a fanatic. This is the doctrine which I have maintained in public addresses, and in private conversation, in my writings, and in my oral communications on this floor, and among my constituents. I go not a hair's breadth beyond it, nor do I stop a hair's breadth short of it. In this respect, I believe I may say that the great mass of those called abolitionists agree with me. It is true, that they are much misunderstood and much misrepresented; but I know of none who advocate any encroachment upon the constitutional rights of the slave States. It is true that they, and nearly all of our northern people, hold slavery in abhorrence. They will on all occasions exert their moral influence against oppression in all its forms. They regard that a moral duty, and so do I; and whether I am in this hall or elsewhere, I can never cease to exert my moral influence against slavery, wherever that influence may extend. But, sir, that moral duty teaches me obedience to the Constitution which I am sworn to support, and while the Constitution remains unchanged, I cannot either here or elsewhere exert my influence to violate it. Nor do the abolitionists ask or expect such an exercise of the powers entrusted to us. But they and the Whigs, and the great mass of those within my district called Democrats, demand and expect of us a firm and decided resistance of all attempts to encroach upon their rights, by involving them in the support of an institution which they hold in execration. I am, however, aware, that a large portion of our people, both North and South, have been unconscious of the extent to which the people of the free States have been involved in the support of slavery. The discussion of all subjects connected with that institution has for many years been suppressed, both in this hall and among the people. During these years of silence, this Government has usurped to itself powers never delegated to it by the Constitution. Southern men have pressed the claims of slavery upon Congress, and northern men have quietly and without resistance permitted the Government to become the patron of slavery, and the people of the free States to be made the instrument of its support. For many years the treaty-making power has been in the habit of embracing, in almost all our treaties with the southern and southwestern Indians, a stipulation that they should surrender up, and, in some instances, that they should be vigilant in arresting and delivering up such fugitive slaves as should seek an asylum among them. For these and other stipulations, the money of the nation, drawn from the people of the free States, has been paid in sums that would astonish northern men if they fully understood the facts. For the purpose of enabling the owners of southern slaves to regain their runaway negroes, we waged a bloody and expensive war with the Indians of Florida, in which we expended more than forty millions of dollars, mostly drawn from the people of the free States. At the last session of Congress we sat here at an expense of thousands of dollars per day, legislating for the benefit of slave traders. We spent our time and the money of the people, to enable slave dealers to carry out their speculations in human flesh; thus, sir, violating the Constitution, and the constitutional rights of our people. They have sent their petitions to us couched in the most respectful language, asking that they may no longer be subjected to these abuses. And what has been our reply? Why, sir, we have thrown the petitions back into their faces, and denounced them as *abolition* petitions, and the signers as *fanatics*. Yet, Mr. Speaker, no man has been found willing to come forward and meet the subject upon its merits. No member here of any party, either Whig or Democrat, from the North or from the South, would hazard his reputation by saying that we possess the power thus to apply the funds of Government to these base purposes. Nor has any man been found who would take issue with the petitioners, and say to them, and to the country, that they were bound thus to contribute their wealth to the support of southern slavery: but we have constantly heard the same answer that is now urged against receiving these petitions. That answer, and the only answer yet adduced, is the cry of "abolition!" "fanaticism!" "interference with southern rights!" "HARTFORD CONVENTION!" and "DISSOLUTION OF THE UNION"!!! I may be permitted to assure gentlemen, that, generally speaking, the people of the North know their rights, and that such answers to their petitions will not satisfy nor silence them. If there be any better answer, it should be brought forward; and gentlemen do themselves and their cause injustice, by neglecting to bring it forward. But if there be no other answer; if gentlemen who seek the adoption of this rule, and who have preceded me in this debate, and those who shall follow me, are unable to find any other objections to these petitions than such as I have referred to, I then ask them if they do themselves justice on a subject of such grave importance, by opposing these plain and obvious truths by mere declamation.

In 1816, a large number of fugitive slaves had collected within the territory of Florida, then subject to the Spanish crown. They settled upon the Appalachicola river, erected their cabins, planted their grounds, and, with their wives and their little ones, were enjoying that liberty which the people of the North prize so highly. They also erected a fort to protect them. General Jackson, at that time commanding the southern army, issued his orders to Gen'l Gaines, to send a force "to break up their settlement and to return them to their owners." A gun-boat was sent up the river to execute this design. She opened a fire of hot shot upon the fort, by which the magazine was exploded, and two hundred and seventy men, women and children were instantaneously murdered, for no other crime than a love of that liberty to which they were as

justly entitled as we are. This act was committed by our servants, acting in our name, and paid with our funds. Their blood rests on the people of this nation. It was as much the act of the North as of the South. Nor was this all. During the 25th Congress, law was passed giving more than five thousand dollars to the officers and men who committed this wholesale murder, and set such a bloody example before other slaves who were panting for freedom. Our people have petitioned against further acts of this kind, and shall we reject their requests? During the war in Florida, our officers and men were not only engaged in searching out and capturing fugitives slaves, but if official documents are to be credited, bloodhounds were procured to aid in that execrable work. Indeed, if the intelligence which we see in the public press be worthy of credit, officers and men employed in our land, naval and revenue service, have within a few months past put forth their efforts to re-capture persons fleeing from southern bondage to a land of liberty. These facts are regarded by our people of the North as derogatory to our national character; they hold that our Federal Constitution was formed to perpetuate liberty, and not for the support of slavery. They regard these prostitutions of our national power as directly involving them in the support of slavery; and they send their petitions here, praying that these abuses may cease. These respectful petitions, addressed to their servants here, are scouted from this hall and treated with contempt, and the same cry of "abolition," &c., is raised against them as against the class to which I heretofore referred. Yet, no man has been found willing to stand before the nation and boldly assert the right of this Government thus to involve the people of the free States in these outrages upon the rights of man, or that we have the constitutional power to involve them in this war against human nature.

The influence of this nation has been put forth on repeated occasions to oppose the progress of civil liberty. Our commissioners at the Congress of Panama, were instructed to oppose all plans of emancipation in Cuba. Our Government also exerted its influence with the crown of Spain for the same object, in order that southern people may hold their slaves more securely.

When slave dealers, with their cargoes of human beings, have been shipwrecked near the British Islands, in the West Indies, and the slaves have regained their liberty by being accidentally thrown upon free soil, our President has condescended to act as the agent and solicitor of such traders in human flesh, and, in the name of the people of this nation, to demand of the British Government a compensation, in dollars and cents, for the liberty thus gained by his fellow men; and when the money was obtained, he has paid it over to breeders of slaves and to dealers in mankind.

Such an interest has our Executive taken in this slave trade, that when the persons on board the slave ship Creole, looking forward to the deep degradation that awaited them in a southern slave market, and inspired with that love of liberty which the God of nature has implanted in the breast of every man, arose upon their oppressors, asserted and maintained their rights, to which, as members of the human family, they were entitled, he demanded of the British crown their value in dollars and cents, as a compensation to men who would have been hanged, under our own laws, had they followed the same vocation on the shores of Africa. All these acts of the government were plain and obvious violations of our Constitution. They were acts unauthorized by any constitutional provision. They involved the people of the free states in the support of an institution which they abhor. Our people feel themselves dishonored by them, and have, therefore, sent numerous petitions, praying us to separate this Government from all further participation in this unconstitutional support of slavery. These petitions were numerously signed by men of high respectability, of intelligence and moral worth. And what answers have we returned to their reasonable requests? Why, sir, we have spurned them from us, and have slammed our doors in the faces of those from whom we hold our seats, and whose servants we are. But we have not possessed the moral courage to say to them, that we have the constitutional power thus to involve them in the inexcusable guilt of those acts to which I have referred. No, sir, we dare not attempt to justify ourselves by argument. We shudder at the thought of appealing to reason, for that is hostile to crime. We dare not rest our justification upon the force of truth for that would condemn us. Discussion would be equivalent to conviction. We have, therefore refused to speak upon the subject matter of the petitions. We have shielded ourselves behind this rule, which prohibits their being read to us, and then attempted to justify the rule by denouncing all "*interference with southern property*," and declaiming against "*incendiary petitions*." It is a most extraordinary fact, that no gentleman who has spoken in favor of this rule has condescended to enter upon an argument to refute the propriety or duty of granting the prayer of one of the several classes of petitions to which I have referred; and I predict that no one who comes after me will attempt a task so difficult. They will condemn all these petitions in general terms and in mass, but they will not discuss the constitutionality of any one in particular. Such discussion would lead to an examination of *principles*—a result from which they start back with horror. I repeat, that those gentlemen who denounce *abolition* so loudly and eloquently, can neither be flattered nor provoked to meet us upon any moral, political or constitutional question in regard to slavery, or which is embraced in any class of these petitions.

I will now proceed to the consideration of another numerous class of petitions, all of which are sought to be excluded by the adoption of this rule. They all relate to slavery within this dis-

trict; some of them pray for the modification, and some for the abolition of the slave trade here; others for the repeal of some one or more of the old laws of Maryland and Virginia that have been re-enacted by Congress, and which are now in force within the District of Columbia; others for the repeal of all laws now in force here, which support slavery, and others for the abolition of slavery generally within this District. If the rule be adopted, all these petitions are to be excluded from being received or read by the house.

We have listened to long and labored arguments, brought forward to show that we ought not to receive these petitions. The first which I will notice is that of the gentleman from South Carolina, (Mr. RAETT,) who took it upon himself to say that the petitioners were not seeking the objects prayed for, but sent their petitions here in order to affect slavery in the States. I am acquainted with many of the petitioners, and know them to be men of intelligence, and in point of character and respectability they would not suffer by a comparison with the gentleman himself. I believe them incapable of saying one thing and meaning another; and I regard the imputation as unfounded and altogether gratuitous. Other members urge that Congress possesses no constitutional power to abolish slavery in this District, and therefore these petitions ought not to be received. If the proposition were correct, that Congress has not the power to abolish slavery within this District, I should nevertheless regard it as our duty to receive their petitions, and to treat them respectfully, and to return civil answers to those who send them to us. They are sincere in their belief concerning our powers, and they approach us in the most respectful language; and shall we throw back the petitions to them, and insult them by a contemptuous silence? If we differ from them in opinion, it would be more in accordance with my views of propriety to receive the petitions, refer them, and let a respectful report be made showing the error into which the petitioners have fallen concerning our powers. This government is founded upon the will of the people, and when they become dissatisfied with it, they have the power to change or alter it, or the agents employed to carry it on. It is therefore important that every cause of discontent should be removed from the public mind.

Other gentlemen appear to think that the petitioners rest their demands merely upon the *reception* of their petitions; and that if we receive them, and lay them on the table without further notice, it will satisfy the signers. I will assure gentlemen who adopt these views, that they mistake the sentiments of those who thus demand our attention. They deal in no technicalities. They regard us as their servants, sent here to do their business and carry out their wishes: and if we differ from them in respect to our powers, or in our views of policy, they expect us to say so frankly, and in a respectful manner to point out the constitutional principles, or the policy which forbids a compliance with their requests. They are competent to weigh and judge of the reasons which guide our action. They regard truth as omnipotent, and are willing to bow to its dictates. They feel that error alone seeks obscurity, and attempts to hide itself behind the silence of mock dignity. If, therefore, we attempt to dispose of these petitions, by laying them silently on the table, and refuse to assign our reasons for the act, it will become their duty to dismiss us, and to send agents here who possess the moral courage to set forth the reasons on which they act.

But, Mr. Speaker, I am desirous of meeting the great and principal issue which gentlemen have tendered us on this part of the subject. If the existence of slavery in this District be constitutional, if it have any legal existence within this ten miles square, it must be by force of our laws. I have no hesitation in saying that if slavery has a legal existence here, we then have the same power over it that we have over the subject of crimes, the collection of debts, or any other municipal regulation.

I regard it as a perfectly clear proposition, one that is not to be doubted or denied, that *slavery is entirely the creature of municipal law*. It is unknown to natural law, and can only exist in direct violation of it. In Ohio, our people go where they please, for the reason that no municipal law forbids the exercise of their natural right of locomotion. If the colored man, or the white man be assailed there, he may defend his person and his life, because there is no law against it. So with a portion of the people in this district. A portion even of the colored people here possess these natural rights of self-defence, and of going from place to place at the dictation of their own wills. Not so with the five thousand slaves who are held in bondage here. They possess neither of those rights; and why not? Because the municipal law has forbidden them to exercise those rights which God bestowed upon them.

At a very early period, the statute laws of Virginia, and I believe of Maryland also, authorized their people to bring to those States "HEATHENS," either by land or water, and to hold them as servants for life. This I believe to be the origin of slavery in those States. But under the moral code of that day, it seems that when a servant became converted and was *baptized*, he regained his freedom. With these inducements, conversions were easy, but holding of slaves was difficult. The legislature therefore interposed, and passed a law declaring that "baptism" should not release the slave from service. It was soon found that these servants or slaves possessed a disposition to go from place to place, at the dictation of their own desires. This propensity rendered them useless to their masters. The legislature, therefore, passed a law, authorising any constable or other person to arrest any slave found away from his master's plantation without a passport, and to return him to his master. This, of itself, did not appear to answer the purpose,

and the constable or other person making the arrest, was authorized to flog the servant, and to pass him over to the nearest constable, who should also flog him, and pass him to the next, until he reached his master, who was bound to pay a certain quantity of tobacco for the arrest, and for whipping the slave. But it was found that the slave would often run from those who attempted to arrest him, and would resist, with his physical powers, those who laid hands upon him. It therefore became necessary further to curtail the rights of the slave, and a statute law was then passed, and is now in force within this District, authorizing the constable, or other person who should attempt to arrest such slave, to shoot or kill him, if he ran from such officer or other person, or if he resisted them after his arrest. A subsequent statute forbade the slave to raise his hand in opposition to any white man, even in defence of his life. The natural rights of the slave were thus taken from him, one after another, until he was by *statute law* reduced to his present degraded condition. These laws, however, gave to the master, and those who were not slaves, powers over their servants which were new and unheard of. As I have shown, they authorized the master and others to whip, and scourge, and torture the slave, and under certain circumstances to shoot and murder him. These powers of the master were based entirely upon *statute law*, and the disabilities of the slave were established by the same authority.

Now, I think few men will deny that the legislature of Virginia or of Maryland had full and ample power to change, modify or repeal any or all these statutes at the pleasure of their legislature. This point admits of no doubt or argument. It is equally plain that the repeal of any one or more of these acts of the legislature would, to a certain extent, be a modification of slavery, and that the repeal of all of these laws would be a total abolition of that institution.

Notwithstanding the apparent correctness of these propositions, some gentlemen deny that the legislature of Virginia possessed the power to abolish slavery in her territory. They will not deny her power to repeal her own laws. This proposition is so plain that they will shrink from a denial of it. They leave that point untouched, and proceed to say that her legislature cannot abolish slavery within her territory. Now, sir, all that abolitionists ask, and all that the slaves of that State will ask, is *the repeal of those laws*. Let them be repealed, and we will no longer contend about abstractions, but we will let slavery take care of itself.

But gentlemen urge, that the "master has a vested right of property in the slave." I wish some one of those eloquent members who have so often repeated this declaration, had condescended to inform us from whence the master derives his title to his slave! I ask from whence is this "vested right" derived? Biblical history informs us, that "God gave to man dominion over the fish of the sea, and over the fowls of the air, and over the cattle, and over all the earth, and over every creeping thing that creepeth upon the earth!" These are property, and we derive our title from Him who created them. But I have yet to learn that any man holds title to his fellow man from that high source. Where then does he obtain his title? Why, sir, he holds it entirely from *statute law*—from the laws that authorize the master to whip and shoot his slave, and which take from the slave his natural rights of self defence and of locomotion. Repeal those laws, and these *vested rights* would become *divested*. Let the legislature take from the hands of the slave the chords with which they have bound him, and he will stand forth a freeman. He will then possess as much right of property in his master as his master will in him; or rather, neither will possess any right to, or power over, the other.

Let us throw as much obscurity as we can around this subject, it will remain perfectly clear to every intelligent mind, that this right of property and the whole power of the master over his slave is derived from statute law, which may be repealed at the pleasure of the legislature. The slaves are as much one class of human society as the masters are. The municipal laws have degraded them, and elevated the masters to power. The same laws have given power to the master, and have forbidden the slave to exercise his natural rights. But these laws are at all times subject to the legislative power, and may be changed, modified or repealed at pleasure. This was the situation of slavery within the District of Columbia, while it belonged to the States of Virginia and Maryland.

In the year 1788-'9, those States, by their separate deeds of cession, surrendered their powers over the territory now composing this District, to the United States. The General Government was fully authorized to take possession of it under a particular provision of the Constitution, and in pursuance of that power accepted the grant, and by act of Congress, approved February 27th, 1801, provided for its government. When Congress once spread its jurisdiction over this District, and passed laws for its government, the laws of Maryland and of Virginia ceased of course to have further force or effect here. This proposition is too plain to require illustration. From that instant the power and laws of Virginia and Maryland ceased, and those of Congress took effect, and from that day to this, have had *exclusive* force and effect over the District and persons therein. But what may have misled a casual observer is, that the laws then in force within the States were re-enacted, and thereby made the laws of Congress; so that the people within the District, on each side of the river, continued to be governed by the same municipal laws that had previously been in force there. Those laws to which I have referred as forming the basis of the master's power over his slave, and which render the slave liable to be shot, and which took from him the right of self-defence, were adopted by, and became the laws of Congress. The same

remark applies to all other municipal laws then in force here—whether they had relation to the punishment of crimes, to the collection of debts, or to any of the relations which men hold to society. I desire to be understood as stating the case most strongly in favor of our opponents. For my own part, I deny the power of Congress to adopt, continue, or to uphold slavery here or any where else. The objects of the Constitution were "to secure liberty," and not to promote or sustain slavery. If we had the constitutional power to sustain slavery, we had the power to create it. If we had the power to create it, we possessed power to say what class of people should be slaves, and what class should be masters. Yet I think no man will urge, that we possessed the power to enslave the white people who resided here. But I have no time to argue that point. The most favorable view for our opponents is to say, that the district then presented a political blank, on which we possessed the power to affix the dark character of slavery, or the more congenial one of liberty and freedom.

In pursuance of this power, Congress passed the act approved 27th Feby, 1801, which re-enacts the laws of Maryland and Virginia then in force in those States, and constitutes them *acts of Congress*. The laws of Virginia were to have force and effect within that part of the District ceded by Virginia, and those of Maryland to have force and effect within that portion of the District which was ceded by that State. By this law, all those acts to which I have alluded became "*acts of Congress*," and we now possess the same power to alter or repeal any or all of them, that the State of Maryland or Virginia possessed prior to the cession. We may modify slavery by repealing the act authorizing persons to arrest slaves; or that which authorizes any person to shoot a slave who will not surrender when ordered, or that which forbids him the right of defending himself; or we may repeal all of them, and thereby abolish slavery altogether. If any gentleman will deny this doctrine, I would feel under deep obligations to him if he would point us to the particular law which we have not power to repeal or amend at our pleasure. But no man I think will be found willing to attempt that task. Our Judiciary Committee have lately reported a bill for the repeal of some of those laws, and from the reports, both of the majority and minority, some of whom are slaveholders, it would appear that the power of Congress to repeal any of those laws was not doubted by a single member. This view was also taken by Attorney General Butler, in his official opinion; and, so far as I am informed, by every man who has investigated the subject.

Thus, Mr. Speaker, I think that no man, who will examine this question dispassionately, can for a moment doubt the power of Congress to modify or repeal all those laws, precisely as they have power to repeal their own laws upon any other subject; and the whole question becomes one of expediency, and not of constitutional power. But the repeal of those laws is objected to, on the ground that the abolition of slavery here will be likely to affect that institution in the adjoining States. That objection I regard as a strong argument in favor of its immediate extirpation from the District. I deny that we are under the least conceivable obligation to continue slavery here, in order that it may be prolonged in the States. The Constitution has imposed no such duty upon Congress, or upon the people of the free States. We say to southern gentlemen, take care of your own slaves. The institution belongs not to us. We have no concern in that matter. That interest belongs to you exclusively. It was never brought into the political copartnership. We will have nothing to do with it, except to use our constitutional efforts to eradicate it from the face of the earth. We hold it in deep abhorrence, and we deny the right of Congress to involve the people of the free States in its expense, its turpitude, or its odium. Our motto is, "hands off!" Leave us to enjoy our liberty. We will not be contaminated with slavery to any extent. We will wash our hands of it. We will separate ourselves from it, and make plain the line of demarkation between our people and that institution. We will purify ourselves from its corruptions and its crimes, and leave it where the Constitution left it, confined strictly to the States in which it exists.

Mr. RAYNER, of North Carolina, said he desired to interrupt the gentleman from Ohio, in order to propound a question to him.

Mr. GIDDINGS. Certainly.

Mr. RAYNER. I wish to inquire whether the gentleman believes the decalogue to be of Divine origin?

Mr. GIDDINGS. I do, but I would not if it sanctioned slavery.

Mr. RAYNER. The tenth Commandment says, "thou shalt not covet thy neighbor's man-servant nor his maid-servant." What does the gentleman understand by that?

Mr. GIDDINGS. I have servants at home, *hired* servants, not slaves. I hope the gentleman does not covet them, and God forbid that I should covet his slaves.

But, Mr. Speaker, I have shown that slavery exists in this District by virtue of the act of Congress to which I have referred. That law was passed by the aid of northern as well as southern votes. For its existence, and for its continuance, the people of the free States, and their Representatives, are responsible, as well as those of the slave States. It is *our* law that upholds and sustains slavery here. It is *our* law that authorizes the master, within this city, to scourge and torture his fellow man, until he shall become the pliant instrument of his own will. It is *our* law that forbids the slave to raise his hand in self-defence. It is *our* law that authorizes

any constable or other person to shoot him, if he attempts to flee from the cruelty and oppression which now surround him. These are *our* laws, and we, sir, the representatives of the free States, boasting of our love of liberty, of our hatred of oppression, of our exalted devotion to the rights of man, year after year sit in this hall, and refuse to repeal these barbarous laws of our own enacting, or even to suffer our constituents respectfully to request us to relieve them from this load of moral guilt which Congress has brought upon them. And the question now is, shall we continue contemptuously to spurn their petitions from us?

I am aware that gentlemen are constantly menacing us with a dissolution of the Union, if we agitate this subject. I answer, we will not cease to assert our constitutional rights to be exempt from slavery, on account of these threats. Release us from this unconstitutional support of that institution, and of course we shall then have no cause to agitate or discuss slavery in this hall. But while you take from us our money to support slavery; while you dishonor us by making us the supporters of the coastwise slave trade; while we are involved in the crime of slavery in this District, we shall not be frightened into a silent submission to these violations of the Constitution, by threats to dissolve the Union. The Union was formed upon the basis of the Constitution; it can only be preserved by maintaining the Constitution. If, sir, the rights of the North, under the Federal compact, are to be violated and trampled upon; if we are to involve ourselves in the blood-stained guilt of slavery—to be disgraced before the civilized world, by supporting the slave trade as the condition, and the only condition on which the Union can be preserved—then, sir, we shall not hesitate in our choice. Our Southern friends may hold their bondmen in subjection, but they must not enslave the freemen of the North.

If slaves are to be held within this District, they must be held without our aid. If the master here continues to tyrannize over his fellow man; if he continues to hold his brother in subjection, by the torture of the whip and scourge; if he shoots him, for refusing to surrender at his command, or if he take his life for defending himself, he must commit these crimes without the aid or sanction of the people whom I represent. Neither our moral nor political power will be prostituted to the support of such a warfare upon mankind. In saying this, I do not allude to the abolitionists particularly. I refer to the feelings and sentiments of our whigs, our democrats, and our liberty men. I refer to the sentiment of the great mass of Northern men, of all parties, denominations, and classes. They *generally* concur in the wish and determination to separate themselves from the corruption and disgrace of these laws of a darker and comparatively barbarous age. There is a tide in public sentiment now rolling on, which will inevitably sweep these laws from existence. That tide is going forward with resistless force. Demagogues, politicians, and political partisans are unable to stop or even check it in its course. Its progress is visible to the most careless observer. Each week bears witness to its increasing power. The changes in this hall are such as to silence the most skeptical. Nor can political feelings or prejudices drive from our breasts the feelings of humanity and patriotism. The great apostle of Southern slavery may thunder forth his bulls of excommunication against his political friends; he may pronounce his political anathemas against those who act in favor of the Constitution and of humanity; but his denunciations will prove as useless as they are harmless. His political friends in this hall will never consent to continue the traffic in mankind, which is now carried on in this District; for, if we may credit the reports of the day, there have been more than five thousand men, women, and children sold and transported from this District to Southern slave markets, within the year past; and that too by virtue of our laws, passed by Congress, and which we refuse to repeal. Yes, sir, you may look from those windows, and view the principal slave prison in the midst of this city of boasted freedom. There, sir, within its gloomy walls are now sighing and groaning the victims doomed under *our* law to the slave markets of the South. Who will estimate the amount of suffering and woe that exists within its hated cells? Count there the mothers torn from their children; the sisters violently separated from their brothers and parents by the execrable dealers in human flesh; the children forcibly taken from their parents, and herded together, waiting for the sailing of the slave ship to convey them to their gloomy destinies upon the rice cotton, and sugar plantations of the South—and then say whether we will receive petitions to stop this accursed traffic. This is all done under the protection of *our* laws. For the continuance of those laws, we who now sit in this hall are responsible. We refuse to repeal them; we refuse to receive petitions praying their repeal; we refuse to permit a bill to be introduced for that purpose; we refuse to discuss the propriety of their repeal; and will any man pretend that we are not morally responsible to God and our country for these hated crimes, committed by our aid? Sir, our hands are now dripping with the blood of slaves; and shall we sit here coolly debating the question, whether we will continue to stain them with the blood of these people? Let me say to every member of this House, whether he come from the North or from the South, that he who refuses to receive these petitions—he who refuses to discuss this subject—and he who refuses to repeal these acts of Congress, will be held responsible to the country, to posterity, and to God, for the crimes committed under the protection of these laws. [Hear Mr. G.'s allotted hour expired.]